

REMARKS

Claims 1-29, 32-34, 36, 38 and 43 are pending. Claims 30, 31, 35, 37, 39-42 and 44-47 are herein cancelled. At pages 2-14 of the Office Action, the Examiner states that claims 1-47 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. 6,253,198 (“Perkins”). This is the sole rejection remaining in this application.

Regarding the rejection of independent claims 1 and 25-28, Applicant respectfully traverses the rejection for at least the following reasons. James A. Stob is the sole inventor and conceived and actually reduced to practice the subject matter of claims 1 and 25-28 prior to May 11, 1999, which is the earliest effective date of Perkins. In support of this traversal, Applicant submits herewith a Declaration of Prior Invention under 37 C.F.R. § 1.131 and § 1.68 (“Declaration”). See M.P.E.P. § 715. For at least these reasons, Applicant respectfully requests that Examiner withdraw the rejection with respect to independent claims 1 and 25-28 and to allow issuance of independent claims 1 and 25-28.¹

Regarding the rejection of dependent claims 2-24, 29, 32-34, 36, 38, and 43, Applicant does not, at this time, assert the Declaration in traversing the rejection of claims 2-24, 29, 32-34, 36, 38, and 43. However, because Applicant believes that independent claims 1 and 28 are patentable for the reasons discussed above, Applicant traverses the rejection of claims 2-24, 29, 32-34, 36, 38, and 43 on the basis that claims 2-24, 29, 32-34, 36, 38 and 43 are patentable at least by virtue of being dependent upon a patentable independent claim. For at least this reason, Applicant respectfully requests that Examiner withdraw the rejection with respect to dependent

¹ Applicant respectfully reserves the right to argue for the patentability of independent claims 1 and 25-28 on other grounds in this and/or any other proceeding.

claims 2-24, 29, 32-34, 36, 38, and 43 and to allow issuance of claims 2-24, 29, 32-34, 36, 38, and 43.²

Applicant herein cancels claims 30, 31, 35, 37, 39-42, and 44-47 and today files a continuation application (“Continuation Application”). Applicant believes that Perkins does not constitute prior art, but chooses not to assert the Declaration in making a traversal to any rejection of claims 30, 31, 35, 37, 39-42, and 44-47. At the same time, Applicant wishes all other pending claims to expeditiously proceed towards allowance and issuance. Applicant thus cancels claims 30, 31, 35, 37, 39-42, and 44-47 and opts instead to pursue the Continuation Application. Applicant does not cancel claims 30, 31, 35, 37, 39-42, and 44-47 for reasons relating to patentability.³

² Applicant respectfully reserves the right to argue for the patentability of dependent claims 2-24, 29, 32-34, 36, 38, and 43 on other grounds in this and/or any other proceeding.

³ Applicant respectfully reserves the right to argue for the patentability of claims 30, 31, 35, 37, 39-42, and 44-47, on other grounds in this and/or any other proceeding.

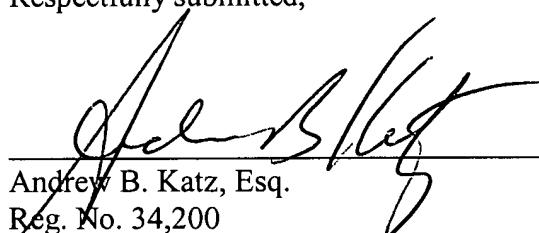
CONCLUSION

Applicant respectfully submits that all pending claims are in condition for allowance and Applicant respectfully requests that all pending claims be allowed. Applicant requests that any questions concerning this matter be directed to the undersigned at (215) 299-2782. If a telephone conference would be of assistance in advancing the prosecution of the present application, Applicant's undersigned attorney invites the Examiner to telephone at the number provided.

Applicant also authorizes the charge of any deficiency and/or the credit of any overpayment to Deposit Account No. 50-1943.

Respectfully submitted,

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